

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
ROCK HILL DIVISION

Betty Ann Singleton,) Civil Action No. 0:13-cv-1358-RBH
)
Plaintiff,)
)
v.)
)
Carolyn W. Colvin, Acting)
Commissioner of Social Security,)
)
Defendant.)

ORDER

The Defendant, Carolyn W. Colvin, Commissioner of Social Security, has moved this Court, pursuant to 42 U.S.C. § 405(g), to enter a judgment with an order of reversal with remand of the cause to the Commissioner for purposes of conducting a *de novo* hearing. Upon remand, the Appeals Council will direct the Administrative Law Judge to further assess the Plaintiff's maximum residual functional capacity during the entire period at issue and provide rationale with specific references to evidence of record in support of assessed limitations; in doing so, comply with the Court's prior remand Order (20 C.F.R. 404.1545, 416945 and Social Security Ruling 96-8p). If necessary, the Administrative Law Judge will obtain supplemental evidence from a vocational expert regarding the physical and mental demands of the Plaintiff's past relevant work.

Further, since the same Administrative Law Judge has heard this case twice, the Appeals Council will instruct that the case be reassigned to another Administrative Law Judge to issue a new decision. The Appeals Council will also suggest that the Administrative Law Judge consider obtaining evidence from a medical expert.

Pursuant to the power of this Court to enter a judgment affirming, modifying, or reversing the Commissioner's decision with remand in Social Security actions under sentence four of 42 U.S.C. § 405(g), and in light of the Commissioner's request for remand of this action for further proceedings, this Court hereby

REVERSES the Commissioner's decision under sentence four of 42 U.S.C. § 405(g) with a **REMAND** of the cause to the Commissioner for further administrative proceedings.¹ *See Shalala v. Schaefer*, 509 U.S. 292 (1993).

AND IT IS SO ORDERED.

s/R. Bryan Harwell
R. Bryan Harwell
United States Magistrate Judge

February 10, 2014

Florence, South Carolina.

¹The clerk of the Court will enter a separate judgment pursuant to the Federal Rules of Civil Procedure, Rule 58.